

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 22-CA-264223	Date Filed August 6, 2020

**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

**1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT**

a. Name of Employer Saint Michael's Medical Center		b. Tel. No. 973-877-5000
		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code) 111 Central Avenue Newark, New Jersey 07102	e. Employer Representative Assunta (Sue) Bruno, Director of Human Resources	g. e-mail abruno@primehealthcare.com
		h. Number of workers employed 500+
i. Type of Establishment (factory, mine, wholesaler, etc.) Hospital	j. Identify principal product or service Medical	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (a)(5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

**2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)**

JNESO, District Council No. 1, IUOE ("Union") and the Employer are parties to a Collective Bargaining Agreement ("CBA") governing the terms and conditions of bargaining unit members employed at the Employer's facility in Newark, New Jersey. Pursuant to Addendum B of the CBA, the Union and Employer deferred bargaining over certain items listed therein, agreeing to expeditiously meet and negotiate regarding those items. In violation of the National Labor Relations Act, the Employer had engaged in bad faith and surface bargaining regarding the items listed in Addendum B.

**3. Full name of party filing charge (if labor organization, give full name, including local name and number)**

JNESO, District Council No. 1, IUOE

4a. Address (Street and number, city, state, and ZIP code) 1225 Livingston Avenue North Brunswick, New Jersey 08902	4b. Tel. No. 732-745-2776
	4c. Cell No.
	4d. Fax No.
	4e. e-mail

**5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)**

International Union of Operating Engineers

**6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Seth Ptasiwicz, Attorney

(signature of representative or person making charge)

(Print/type name and title or office, if any)

Tel. No.  
732-491-2109

Office, if any, Cell No.

Fax No.  
732-491-2120

e-mail  
sptasiwicz@krollfirm.com

Kroll heineman Carton, 99 Wood Ave. S, Iselin, NJ 08830

Address

Date August 6, 2020

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 22  
20 WASHINGTON PL  
FL 5  
NEWARK, NJ 07102-3127

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (973)645-2100  
Fax: (973)645-3852



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August 6, 2020

JNESO - DISTRICT COUNCIL 1, IUOE  
1225 Livingston Avenue  
North Brunswick, NJ 08902-1827

Re: Saint Michael's Medical Center  
Case 22-CA-264223

Dear Sir or Madam:

The charge that you filed in this case on August 06, 2020 has been docketed as case number 22-CA-264223. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney ROBERT E. MULLIGAN whose telephone number is (862)229-7034. If this Board agent is not available, you may contact Deputy Regional Attorney JULIE KAUFMAN whose telephone number is (862)229-7028.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Correspondence:** All documents submitted to the Region regarding your case **MUST** be filed through the Agency's website, [www.nlr.gov](http://www.nlr.gov). This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

August 6, 2020

Very truly yours,

A handwritten signature in black ink, reading "David E. Leach III". The signature is written in a cursive style with a large, sweeping initial "D".

DAVID E. LEACH III  
Regional Director

cc: Seth Ptasiewicz, ESQ.  
KROLL HEINEMAN CARTON  
99 Wood Ave. S  
Iselin, NJ 08830



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 22  
20 WASHINGTON PL  
FL 5  
NEWARK, NJ 07102-3127

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Telephone: (973)645-2100  
Fax: (973)645-3852



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August 6, 2020

Assunta Bruno, Director Human Resources  
SAINT MICHAEL'S MEDICAL CENTER  
111 Central Ave  
Newark, NJ 07102-1909

Re: Saint Michael's Medical Center  
Case 22-CA-264223

Dear Bruno:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

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**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board



agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "David E. Leach III". The signature is fluid and cursive, with a large initial "D" and a stylized "L".

DAVID E. LEACH III  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Prime Healthcare Services – St. Michael's, LLC – DBA Saint Michael's Medical Center

and

CASE 22-CA-264223

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

Prime Healthcare Services – St. Michael's, LLC – DBA Saint Michael's Medical Center

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Alan I. Model, Esq.

MAILING ADDRESS: Littler Mendelson, P.C., One Newark Center, 8th Fl., Newark, NJ 07102

E-MAIL ADDRESS: amodel@littler.com

OFFICE TELEPHONE NUMBER: 973.848.4740

CELL PHONE NUMBER: \_\_\_\_\_ FAX: 973.755.0439

SIGNATURE: *Alan I. Model*  
(Please sign in ink.)

DATE: August 10, 2020

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

22-CA-264230

Date Filed

AUGUST 6, 2020

## INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Saint Michael's Medical Center		b. Tel. No. 973-877-5000
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 111 Central Avenue Newark, New Jersey 07102	e. Employer Representative Assunta (Sue) Bruno, Director of Human Resources	g. e-mail abruno@primehealthcare.com
		h. Number of workers employed 500+
i. Type of Establishment (factory, mine, wholesaler, etc.) Hospital	j. Identify principal product or service Medical	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (a)(5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

## 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

JNESO, District Council No. 1, IUOE ("Union") and the Employer are parties to a Collective Bargaining Agreement ("CBA") governing the terms and conditions of bargaining unit members employed at the Employer's facility in Newark, New Jersey. On or about July 29, 2020, the Union consistent with its obligation to represent its members employed by the Employer requested certain information regarding utilization/burn rate of Personal Protective Equipment at the Employer's Newark, New Jersey facility. To date, the Employer has failed to provide this information in violation of the National Labor Relations Act.

## 3. Full name of party filing charge (if labor organization, give full name, including local name and number)

JNESO, District Council No. 1, IUOE

4a. Address (Street and number, city, state, and ZIP code) 1225 Livingston Avenue North Brunswick, New Jersey 08902	4b. Tel. No. 732-745-2776
	4c. Cell No.
	4d. Fax No.
	4e. e-mail

## 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

International Union of Operating Engineers

## 6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Seth Ptasiciewicz, Attorney

(signature of representative or person making charge)

(Print/type name and title or office, if any)

Address Kroll Heineman Carton, 99 Wood Ave. S, Iselin, NJ  
08830

Date August 6, 2020

Tel. No.

732-491-2109

Office, if any, Cell No.

Fax No.

732-491-2120

e-mail

sptasiciewicz@krollfirm.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

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UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 22  
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Telephone: (973)645-2100  
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August 6, 2020

JNESO District Council 1, IUOE  
1225 Livingston Avenue  
North Brunswick, NJ 08902-1827

Re: Saint Michael's Medical Center  
Case 22-CA-264230

Dear Sir or Madam:

The charge that you filed in this case on August 06, 2020 has been docketed as case number 22-CA-264230. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney ROBERT E. MULLIGAN whose telephone number is (862)229-7034. If this Board agent is not available, you may contact Deputy Regional Attorney JULIE KAUFMAN whose telephone number is (862)229-7028.

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August 6, 2020

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DAVID E. LEACH III  
Regional Director

cc: Seth Ptasiewicz, ESQ.  
Kroll Heineman, LLC  
99 Wood Avenue South, Suite 307  
Metro Corporate Campus 1  
Iselin, NJ 08830



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

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August 6, 2020

Assunta Bruno, Director Human Resources  
ST. MICHAEL'S MEDICAL CENTER  
111 Central Ave  
Newark, NJ 07102-1909

Re: Saint Michael's Medical Center  
Case 22-CA-264230

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "David E. Leach III". The signature is fluid and cursive, with a large initial "D" and "L".

DAVID E. LEACH III  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Prime Healthcare Services – St. Michael's, LLC – DBA Saint Michael's Medical Center

and

CASE 22-CA-264223

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

Prime Healthcare Services – St. Michael's, LLC – DBA Saint Michael's Medical Center

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Alan I. Model, Esq.

MAILING ADDRESS: Littler Mendelson, P.C., One Newark Center, 8th Fl., Newark, NJ 07102

E-MAIL ADDRESS: amodel@littler.com

OFFICE TELEPHONE NUMBER: 973.848.4740

CELL PHONE NUMBER: \_\_\_\_\_ FAX: 973.755.0439

SIGNATURE: Alan I. Model

(Please sign in ink.)

DATE: August 10, 2020

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

22-CA-264232

Date Filed

Aug 6, 2020

## INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Saint Michael's Medical Center		b. Tel. No. 973-877-5000
		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code) 111 Central Avenue Newark, New Jersey 07102	e. Employer Representative Assunta (Sue) Bruno, Director of Human Resources	g. e-mail abruno@primehealthcare.com
		h. Number of workers employed 500+
i. Type of Establishment (factory, mine, wholesaler, etc.) Hospital	j. Identify principal product or service Medical	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (a)(5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

## 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

JNESO, District Council No. 1, IUOE ("Union") and the Employer are parties to a Collective Bargaining Agreement ("CBA") governing the terms and conditions of bargaining unit members employed at the Employer's facility in Newark, New Jersey. On or about July 29, 2020, the Union consistent with its obligation to represent its members employed by the Employer requested certain information regarding whether a non bargaining unit employee was performing bargaining unit work, PICC or IR, in violation of the CBA as well as hours paid to all bargaining unit members in IR. The Employer has refused to provide this information in violation of the National Labor Relations Act.

## 3. Full name of party filing charge (if labor organization, give full name, including local name and number)

JNESO, District Council No. 1, IUOE

## 4a. Address (Street and number, city, state, and ZIP code)

1225 Livingston Avenue  
North Brunswick, New Jersey 08902

4b. Tel. No.

732-745-2776

4c. Cell No.

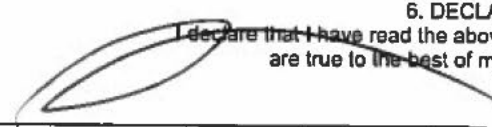
4d. Fax No.

4e. e-mail

## 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

International Union of Operating Engineers

## 6. DECLARATION



I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Seth Ptasiwicz, Attorney

Tel. No.

732-491-2109

Office, if any, Cell No.

Fax No.

732-491-2120

e-mail

sptasiwicz@krollfirm.com

Kroll Heineman Carton, 99 Wood Ave. S, Iselin, NJ  
Address 08830

Date August 6, 2020

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 22  
20 WASHINGTON PL  
FL 5  
NEWARK, NJ 07102-3127

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (973)645-2100  
Fax: (973)645-3852



Download  
NLRB  
Mobile App

August 6, 2020

JNESO District Council 1, IUOE  
1225 Livingston Avenue  
North Brunswick, NJ 08902-1827

Re: Saint Michael's Medical Center  
Case 22-CA-264232

Dear Sir or Madam:

The charge that you filed in this case on August 06, 2020 has been docketed as case number 22-CA-264232. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney ROBERT E. MULLIGAN whose telephone number is (862)229-7034. If this Board agent is not available, you may contact Deputy Regional Attorney JULIE KAUFMAN whose telephone number is (862)229-7028.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Correspondence:** All documents submitted to the Region regarding your case MUST be filed through the Agency's website, [www.nlr.gov](http://www.nlr.gov). This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

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Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

August 6, 2020

Very truly yours,

A handwritten signature in black ink, reading "David E. Leach III". The signature is fluid and cursive, with a large initial "D" and a stylized "L".

DAVID E. LEACH III  
Regional Director

cc: Seth Ptasiewicz, ESQ.  
Kroll Heineman, LLC  
99 Wood Avenue South, Suite 307  
Metro Corporate Campus 1  
Iselin, NJ 08830





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 22  
20 WASHINGTON PL  
FL 5  
NEWARK, NJ 07102-3127

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
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Fax: (973)645-3852



Download  
NLRB  
Mobile App

August 6, 2020

Assunta Bruno, Director Human Resources  
SAINT MICHAEL'S MEDICAL CENTER  
111 Central Ave  
Newark, NJ 07102-1909

Re: Saint Michael's Medical Center  
Case 22-CA-264232

Dear Bruno:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney ROBERT E. MULLIGAN whose telephone number is (862)229-7034. If this Board agent is not available, you may contact Deputy Regional Attorney JULIE KAUFMAN whose telephone number is (862)229-7028.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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Very truly yours,

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DAVID E. LEACH III  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Prime Healthcare Services – St. Michael's, LLC – DBA Saint Michael's Medical Center

and

CASE 22-CA-264223

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

Prime Healthcare Services – St. Michael's, LLC – DBA Saint Michael's Medical Center

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

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(REPRESENTATIVE INFORMATION)

NAME: Alan I. Model, Esq.

MAILING ADDRESS: Littler Mendelson, P.C., One Newark Center, 8th Fl., Newark, NJ 07102

E-MAIL ADDRESS: amodel@littler.com

OFFICE TELEPHONE NUMBER: 973.848.4740

CELL PHONE NUMBER: \_\_\_\_\_ FAX: 973.755.0439

SIGNATURE: Alan I. Model  
(Please sign in ink.)

DATE: August 10, 2020

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